

Notice of Allowability

Application No.

10/038,878

Examiner

Charles Chow

Applicant(s)

COLLINS, DAVID ALLAN

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/9/2004.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☒ The drawings filed on 31 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/29/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Detailed Action

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

Claims 1-24 are allowable over the prior art of record, the prior art fails to teach singly, particularly, or in combination, for the allowable features in independent claims 1, 13, for the **second call process sever application on a second node separate from said first call application node, having a first call process server application; the first load sharing group sever application**, for a switch capable of handling call connections between calling devices and called devices on a plurality of trunk lines associated with said switch, said switch comprising a main processing unit capable of executing call process client applications, wherein each of said call process client applications is associated with one of said call connections; and N call application nodes capable of executing call process server applications, wherein a first call process server application is executed on a first one of said N call application nodes and is associated with a similar second call process server application executed on a second one of said N call application nodes separate from said first call application node, said first and second call process server applications thereby form a first load sharing group server application, wherein said each call process client application sends a call process service request to said first load sharing group server application and said first load sharing group server application selects one of said first and second call server applications to perform said call process service request according to a load distribution algorithm [claims 1]; and additional claimed features, a wireless network comprising a plurality of base station, a mobile switch center coupled to plurality of base stations and to

Art Unit: 2685

PSTN by plurality of trunk, a main processing unit capable of executing call process client applications, wherein each of said call process client applications is associated with one of said call connections [claim 13].

The closest patent to **Rathunde (US 6,574,477 B1)** teaches a MSC 4 switch having T1, E1 trunks, the application processors AP 32, 34, 100, 102, 104, the selecting of sever application RCS instance in APs 124, 128 for sharing load from AP 122 (col. 11, lines 41-59), the executive cellular processor 18 can be Lucent EMS software product 22 to allow service provider to configure the application processor with RCS for dynamic load sharing (col. 6, lines 46-65). Rathunde fails to teach the **second call process sever application on a second node separate from said first call application node, having a first call process server application; the first load sharing group sever application.**

Clayton et al. (US 6,681,001B1) teaches the client application software 80, 96, and client application 80 has telephone application program interface for providing message exchange between computer system and a telecommunication unit (Fig. 3, col. 11, line 52 to col. 12, line 49). Clayton et al. fails to teach the **second call process sever application on a second node separate from said first call application node, having a first call process server application; the first load sharing group sever application.**

Other prior arts in below has been considered, but they fail to teach the above claimed features.

Gehi et al. (US 6,134,216) teaches the overload control of processor groups for running application, for adjusting the processor over load level in processor group, for the

Art Unit: 2685

substantially equal level (col. 10, line 63 to col. 11, line 44), the long term, short term consideration (col. 1, line 50 to col. 2, line 26).

Hayashi et al. (US 6,98,071B1) teaches the first backup sever information 210 is resided with application processor 205 in a backup server node 102 for being selected as a backup node (col. 5, line 50 to col. 6, line 10; col. 3, line 55 to col. 4, line 6).

Chang (US 2003/0065,921A1) teaches the load balancing 800 for the applications a to n with server 200a to 200m.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Chow whose telephone number is (703)-306-5615. The examiner can normally be reached on 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703)-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information

Art Unit: 2685

for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow *CC*.

April 19, 2005.


EDWARD F. MORAN
SUPERVISOR/PAIR
TECHNOLOGY CENTER